



8127164

2685
41PATENT
00780

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Austin et al.
Group Art Unit: 2685
Examiner: Nguyen, Thuan T.
Serial No. 10/085,863
Filed: February 27, 2002

:
:
:
:
:
:
:
:

WIRELESS FREQUENCY RE-USE
DETERMINATION SYSTEMS
AND METHODS

AMENDMENT AND RESPONSE TO OFFICE ACTION

Pittsburgh, Pennsylvania 15222

August 26, 2004

RECEIVED

SEP 01 2004

Technology Center 2600

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 27, 2004 with respect to the above-identified application, Applicants respond as follows:

"Express Mail" mailing label number ED153382383US

Date of Deposit August 26, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patricia A. Mack

ELECTION OF CLAIMS WITHOUT TRAVERSE

In the Office Action, claims 1-25 are subject to a restriction requirement. The claims are grouped as follows: Group I – claims 1-13 and Group II – claims 14-25. Applicants herein elect Group I (i.e. claims 1-13) without traverse.

CONCLUSION

Applicants respectfully request a Notice of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,



Jonathan C. Parks
Reg. No. 40,120

Attorney for Applicants

KIRKPATRICK & LOCKHART LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222
Tel. (412) 355-6288
Fax (412) 355-6501

Customer No. 42799